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STEVEN L. NICHOLS			ZHONG, JUN FEI	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/727,134	OZAKI ET AL.	
	Examiner	Art Unit	
	JUN FEI ZHONG	2426	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 May 2009.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5,8-26,29-33,36-49,52-60 and 65 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-5,8-26,29-33,36-49,52-60 and 65 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 02 December 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. This Office Action is in response to an AMENDMENT entered 5/19/2009.
2. The Non-Final Office Action of 2/19/2009 is fully incorporated into this Final Office Action by reference.

Status of Claims

3. Claims 1-5, 8-26, 29-33, 36-49, 52-60, 65 are pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 8-10, 12-15, 17-21, 24, 29, 31, 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. (Pub # US 2002/0059621) in view of Shibamiya (Pub # US 2002/00021373).

As to claim 1, Thomas discloses a system for saving settings of an audiovisual system, comprising:

a first audiovisual device comprising a setting (e.g., setting of user equipment 260; Fig. 2) (see paragraph 0087); and

a second audiovisual device (e.g., user equipment 265 or server 210; Fig. 2) communicatively coupled to said first audiovisual device (e.g., via network 270) (see paragraph 0058, 0112-0121);

wherein said second audiovisual device is configured to retrieve said setting from said first audiovisual device and save said setting of said first audiovisual device in response to a save event (e.g., user selecting resume feature, retrieving settings from previously selected; auto configure equipment setting in second location with previously selected setting (storing settings in second equipment); or stores at server 210; Fig. 7A-7C, 10-11) (see paragraph 0087-0093, 0112-0121);

wherein said save event includes a shutdown of at least one of said first audiovisual device and said second audiovisual device initiated through a user control (e.g., user using remote control power button 315 to turn on/off a user equipment; Fig. 3) (see paragraph 0062-0065); and

Thomas does not specifically disclose automatically save setting upon shutdown.

Shibamiya discloses wherein said second audiovisual device automatically saves said setting upon said shutdown and the shutdown is initiated through a user control (e.g., storing TV setting information when the TV is power off) (see paragraph 0117).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automatically save device's setting as taught by Shibamiya to the system of Thomas in order to enable easy implementation of optimal operation setting between a plurality of devices to be controlled (see paragraph 0011).

As to claim 18, Thomas discloses an audiovisual host device (e.g., user equipment 265 or server 210; Fig. 2) (see paragraph 0087-0093, 0112-0121), comprising:

an interface (Fig. 7B) for communicatively coupling to an audiovisual device (e.g., user equipment 260; Fig. 2), wherein said audiovisual device includes a setting (e.g., setting of user equipment 260; Fig. 2) (see paragraph 0087);

a computer-readable medium (i.e., user equipment could be a personal computer which inherency has memory, DVD/CD, or hard drive) (see paragraph 0006, 0040, 0056, 0059, 0065); and

a processor communicatively coupled to said interface and said computer-readable medium (i.e., a personal computer which inherency has a CPU) (see paragraph 0006, 0040);

wherein said processor is configured to:

receive said setting from said interface in response to a save event (e.g., user selecting relocate feature or pause a movie; Fig. 3, 7A) (see paragraph 0087-0093, 0112-0121);

store said setting to said computer-readable medium upon said save event (e.g., save setting of the user equipment) (see paragraph 0096);

recall said setting from said computer-readable medium upon a restore event (e.g., user resume the movie, auto configure) (see paragraph 0087, 0089, 0096, 0113); and

communicate said recalled setting to said interface upon said restore event (Fig. 6A, 7B) (see paragraph 0081-0082, 0089-0092),

wherein said recalled setting is configured to be restored to said audiovisual device wherein said save event includes a shutdown of at least one of said host device and said audiovisual device initiated through a user control (e.g., user using remote control power button 315 to turn on/off a user equipment; Fig. 3) (see paragraph 0062-0065); and

Thomas does not specifically disclose automatically save setting upon shutdown.

Shibamiya discloses wherein said processor automatically saves said setting upon said shutdown and the shutdown is initiated through a user control (e.g., storing TV setting information when the TV is power off) (see paragraph 0117).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automatically save device's setting as taught by Shibamiya to the system of Thomas in order to enable easy implementation of optimal operation setting between a plurality of devices to be controlled (see paragraph 0011).

As to claim 60, it contains the limitations of claim 1 and is analyzed as previously discussed with respect to claim 1 above.

As to claim 2, Thomas discloses the system of claim 1, further comprising a remote control device (Fig. 2 and 3) configured to communicate said save event to said second audiovisual device (see paragraph 0054, 0062-0068).

As to claim 3, Thomas discloses the system of claim 2, wherein said save event includes an actuation of a control on said remote control device (see paragraph 0054, 0062-0068, 0089).

As to claim 8, Thomas discloses the system of claim 1, wherein said second audiovisual device is configured to restore said setting of said first audiovisual device upon a restore event (e.g., user resume the movie, auto configure) (see paragraph 0087, 0089, 0096, 0113).

As to claim 9, Thomas discloses the system of claim 8, further comprising a remote control device configured to communicate said restore event to said second audiovisual device (see paragraph 0054, 0062-0068; Fig. 2 and 3).

As to claim 10, Thomas discloses the system of claim 9, wherein said restore event includes an actuation of a control on same said remote control device (see paragraph 0054, 0062-0068, 0089).

As to claim 12, Thomas discloses the system of claim 8, wherein said restore event includes a power-up of at least one of said first audiovisual device and said second audiovisual device (e.g., using remote control power button 315 to turn on/off user equipment; Fig. 3) (see paragraph 0062-0065).

As to claim 13, Thomas discloses the system of claim 1, wherein said second audiovisual device is a television set (see paragraph 0040).

As to claim 14, Thomas discloses the system of claim 1, wherein said second audiovisual device is a set-top box (see paragraph 0006; Fig. 2).

As to claim 15, Thomas discloses the system of claim 1, wherein said first audiovisual device is one of a digital video recorder and a digital video player (see paragraph 0057).

As to claim 17, Thomas fails to discloses the setting includes a selected input channel associated with said first audiovisual device,

Shibamiya discloses the system of claim 1, wherein said setting includes a selected input channel associated with said first audiovisual device (e.g., video input) (see paragraph 0117-0118).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automatically save device's setting as taught by Shibamiya to the system of Thomas in order to enable easy implementation of optimal operation setting between a plurality of devices to be controlled (see paragraph 0011).

As to claims 19-21, they contain the limitations of claims 13-14, 3 and are analyzed as previously discussed with respect to claims 13-14, 3 above.

As to claims 24, 29, they contain the limitations of claims 10, 12 and are analyzed as previously discussed with respect to claims 10, 12 above.

As to claim 31, Thomas discloses the audiovisual host device of claim 18, further comprising a programming interface configured to receive an audiovisual programming signal from a source (e.g., receiving video from server) (see 0007, 0038).

6. Claims 32-33, 36-46, 48-49, 52-59, 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. (Pub # US 2002/0059621) in view of Kamieniecki (Pub # US 2003/0066080).

As to claim 32, Thomas discloses a method for retaining settings of an audiovisual system, comprising:

obtaining a setting from a first audiovisual device (e.g., setting of user equipment 260; Fig. 2; user selecting resume feature, retrieving settings from previously selected), wherein said first audiovisual device is communicatively coupled to a second audiovisual device (e.g., user equipment 265 or server 210; Fig. 2) (see paragraph 0087-0093, 0112-0121); and

storing said setting to said second audiovisual device upon a save event (e.g., auto configure equipment setting in second location with previously selected setting (storing settings in second equipment); or save setting in server 210; Fig. 7A-7C, 10-11) (see paragraph 0087-0093, 0112-0121);

Thomas does not specifically disclose save event comprises actuating a control button for a predetermined amount of time.

Kamieniecki discloses wherein said save event comprises actuating a control button for a predetermined amount of time (e.g., press a key on remote for predetermined time period to send commands) (see paragraph 003 and 0063-0065)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have actuating a control button for a predetermined amount of time as taught by Kamieniecki to the system of Thomas in order to prevent accidentally actuate a button and course unwanted result.

As to claim 48, it contains the limitations of claim 32 and is analyzed as previously discussed with respect to claim 32 above.

As to claim 33, Thomas discloses the method of claim 32, wherein said save event includes an actuation of said control button on a remote control device (see paragraph 0054, 0062-0068, 0089).

As to claim 36, Thomas discloses the method of claim 32, further comprising receiving a signal representative of said save event from a remote control device, wherein said remote control device is configured to communicate said save event to said second audiovisual device (e.g., save setting in server 210; Fig. 7A-7C, 10-11) (see paragraph 0087-0093, 0112-0121).

As to claim 37, Thomas discloses the method of claim 32, wherein said save event includes a shutdown of at least one of said first audiovisual device and said second audiovisual device (e.g., using remote control power button 315 to turn on/off a user equipment; Fig. 3) (see paragraph 0062-0065).

As to claim 38, Thomas fails to specifically disclose automatically save setting upon shutdown

Kamieniecki discloses the method of claim 37, wherein said second audiovisual device automatically saves said setting upon said shutdown (e.g., save settings in memory 245 when shutdown; i.e., settings stores in memory 245 including setting for itself and other devices are kept intact irrespective regardless of power) (see paragraph 0027, 0036, 0041, 0051).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have save settings as taught by Kamieniecki to the system of Thomas in order to prevent accidentally actuate a button and course unwanted result.

As to claim 39, Thomas discloses the method of claim 32, further comprising:
recalling said setting from said second audiovisual device upon a restore event
(e.g., user resume the movie) (see paragraph 0087, 0089, 0096, 0113);
restoring said recalled setting to said first audiovisual device upon said restore
event (e.g., auto configure device) (see paragraph 0087, 0089, 0096, 0113).

As to claim 40, Thomas discloses the method of claim 39, wherein said restore
event includes an actuation of a control on said remote control device (see paragraph
0054, 0062-0068, 0089).

As to claim 41, Thomas fails to specifically disclose a saved channel of
audiovisual programming is restored upon said actuation
Kamieniecki discloses the method of claim 40, wherein a saved channel of
audiovisual programming is restored upon said actuation (see paragraph 0002).

Therefore, it would have been obvious to one of ordinary skill in the art at the
time the invention was made to have restore as taught by Kamieniecki to the system of
Thomas in order to prevent accidentally actuate a button and course unwanted result.

As to claim 42, Thomas discloses the method of claim 39, further comprising
receiving a signal representative of said restore event from a remote control device,
wherein said remote control device is configured to communicate said restore event to

said second audiovisual device (e.g., save setting in server 210; Fig. 7A-7C, 10-11) (see paragraph 0087-0093, 0112-0121).

As to claim 43, Thomas discloses the method of claim 39, wherein said restore event includes a power-up of at least one of said first audiovisual device and said second audiovisual device (e.g., using remote control power button 315 to turn on/off a user equipment; Fig. 3) (see paragraph 0062-0065).

As to claim 44, Thomas discloses the method of claim 32, wherein said second audiovisual device is a television set (see paragraph 0040).

As to claim 45, Thomas discloses the method of claim 32, wherein said second audiovisual device is a set-top box (see paragraph 0006; Fig. 2).

As to claim 46, Thomas discloses the method of claim 32, wherein said first audiovisual device is one of a digital video recorder and a digital video player (see paragraph 0057).

As to claims 49, 52-59, they contain the limitations of claims 33, 36-43 and are analyzed as previously discussed with respect to claims 33, 36-43 above.

As to claim 65, Thomas discloses the method of claim 32, further comprising restoring said setting to said first audiovisual device upon a subsequent actuation of said same control button (see paragraph 0089).

7. Claims 4-5, 11, 22-23, 25-26, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. (Pub # US 2002/0059621) in view of Shibamiya (Pub # US 2002/00021373), further in view of Kamieniecki (Pub # US 2003/0066080).

As to claim 4, note the discussion above, Thomas discloses relocate feature of the system. Shibamiya discloses sending command to the receiver by manipulating of the remote controller keys (see abstract, paragraph 0017, 0045).

One of ordinary skill in the art at the time the invention would understand that manipulation of the remote controller keys includes actuating a button for a predetermined amount of time,

In fact, Kamieniecki discloses wherein said actuation includes actuating a button for a predetermined amount of time (e.g., press a key on remote for predetermined time period to send commands) (see paragraph 003 and 0063-0065)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have actuating a control button for a predetermined amount of time as taught by Kamieniecki to the system of Thomas as modified by Shibamiya in order to prevent accidentally actuate a button and course unwanted result.

As to claim 5, Thomas fails to discloses wherein a selected channel of audiovisual programming is saved upon said actuation

Shibamiya discloses the system of claim 4, wherein a selected channel of audiovisual programming is saved upon said actuation (see paragraph 0117-0118).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automatically save device's setting as taught by Shibamiya to the system of Thomas in order to enable easy implementation of optimal operation setting between a plurality of devices to be controlled (see paragraph 0011).

As to claim 11, Thomas fails to discloses wherein a saved channel of audiovisual programming is restored upon said actuation

Shibamiya discloses the system of claim 10, wherein a saved channel of audiovisual programming is restored upon said actuation (see paragraph 0117-0118).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automatically save device's setting as taught by Shibamiya to the system of Thomas in order to enable easy implementation of optimal operation setting between a plurality of devices to be controlled (see paragraph 0011).

As to claims 22-23, they contain the limitations of claims 4-5 and are analyzed as previously discussed with respect to claims 4-5 above.

As to claim 25, Thomas fails to discloses wherein a saved channel of audiovisual programming is restored upon said actuation

Shibamiya discloses the audiovisual host device of claims 24, wherein a saved channel of audiovisual programming is restored upon said actuation (see paragraph 0117-0118).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automatically save device's setting as taught by Shibamiya to the system of Thomas in order to enable easy implementation of optimal operation setting between a plurality of devices to be controlled (see paragraph 0011).

As to claim 26, Thomas fails to discloses remote control (RC) interface communicatively coupled to said processor, wherein said RC interface is configured to receive a signal representative of said save event or said restore event from a remote control device

Shibamiya discloses the audiovisual host device of claim 18, further comprising a remote control (RC) interface (e.g., remote controller control unit 108; Fig. 2) communicatively coupled to said processor (e.g., control unit 109), wherein said RC interface is configured to receive a signal representative of said save event or said restore event from a remote control device (see paragraph 0045, 0049).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automatically save device's setting as taught by

Shibamiya to the system of Thomas in order to enable easy implementation of optimal operation setting between a plurality of devices to be controlled (see paragraph 0011).

As to claim 30, Thomas fails to disclose a control communicatively coupled to said processor, wherein at least one of said save event and said restore event includes an actuation of said control

Shibamiya discloses the audiovisual host device of claim 18, further comprising a control (e.g., remote controller control unit 108; Fig. 2) communicatively coupled to said processor, wherein at least one of said save event and said restore event includes an actuation of said control (see paragraph 0045, 0049).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automatically save device's setting as taught by Shibamiya to the system of Thomas in order to enable easy implementation of optimal operation setting between a plurality of devices to be controlled (see paragraph 0011).

8. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. (Pub # US 2002/0059621) in view of Kamieniecki (Pub # US 2003/0066080), further in view of Humpleman et al. (Patent # US 6288716).

As to claim 47, note the discussion above, Thomas and Kamieniecki fail to disclose a IEEE 1394 pathway

Humbleman discloses wherein said first audiovisual device is communicatively coupled to said second audiovisual device by an IEEE 1394 pathway (e.g., 1394 serial bus 114) (see col. 6, lines 42-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have IEEE 1394 connecting as taught by Humbleman to the system of Thomas as modified by Kamieniecki in order to provide a system with standard connection that a variety of electronic devices from different manufacturers can communicate with each other.

9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. (Pub # US 2002/0059621) in view of Shibamiya (Pub # US 2002/00021373), further in view of Humbleman et al. (Patent # US 6288716).

As to claim 16, note the discussion above, Thomas and Shibamiya fail to disclose a IEEE 1394 pathway

Humbleman discloses wherein said first audiovisual device is communicatively coupled to said second audiovisual device by an IEEE 1394 pathway (e.g., 1394 serial bus 114) (see col. 6, lines 42-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have IEEE 1394 connecting as taught by Humbleman to the system of Thomas as modified by Shibamiya in order to provide a system with

standard connection that a variety of electronic devices from different manufacturers can communicate with each other.

Response to Arguments

10. Applicant's arguments filed 5/19/2009 have been fully considered but they are not persuasive.

Although a new ground of rejection has been used to address additional limitations that have been added to claims 1, 18, 60, a response is considered necessary for several of applicant's arguments since Thomas and Kamieniecki references will continue to be used to meet several claimed limitations.

Applicant argues respect to claims 32 and 48 that "*neither Thomas nor Kamieniecki teach a save event comprising actuating a control button for a predetermined period of time*".

However, the examiner respectfully disagrees. Reading the claims in the broadest sense, Thomas discloses a save event, user selecting relocate feature in the remote controller (see paragraph 0062-0068, 0087-0093, 0112-0121); Kamieniecki discloses press a key on remote for predetermined time period to send a command (see paragraph 003 and 0063-0065). Therefore, combination of Thomas and Kamieniecki teach the claimed limitations.

Further, in *KSR International Co. v. Teleflex Inc.*, the Court found that if all the claimed elements are known in the prior art then one skilled in the art could have combined the elements as claimed by known methods with no change in their

respective functions, and the combination would have yield predictable results to one of ordinary skill in the art at the time of the invention.

Thus, the rejection of claims 32 and 48 maintains.

Conclusion

11. Claims 1-5, 8-26, 29-33, 36-49, 52-60, 65 are rejected.
12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Krzyzanowski et al. (Patent # US 6792323) is cited to teach controlling devices in home network.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUN FEI ZHONG whose telephone number is (571)270-1708. The examiner can normally be reached on M-F, 7:30~5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hirl can be reached on 571-272-3685. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JFZ
8/25/2009

/Joseph P. Hirl/
Supervisory Patent Examiner, Art Unit 2426
August 27, 2009